THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.16923 of 2005

Dated: 02.08.2005

The Lingala Indira Recration Club, Lingala;

Rep. By its President, A.V.Srinivasa Reddy,

S/o.Chinnavenkata Reddy, Aged about 37 years,

Lingala, Kadapa District.

----------Petitioner

The Superintendent of Police, Kadapa District,

Kadapa and others

----------Respondents

ORDER:

Petitioner is a Recreation Association (Club). Its grievance is that the respondents are interfering with its activities and preventing its members from playing rummy with stakes or in syndicate.

Learned counsel for the petitioner submits that in ***State of A.P. v. K. Satyanarayana***, the Supreme Court held that rummy with 13 cards is not a game of choice and it is a game of skill. He contends that Sections 3 and 4 of the A.P. Gaming Act, 1974 do not apply to such game and it falls within the meaning of game of 'mere skill' under Section 15 of that Act.

Learned Government Pleader for Home, on the other hand, submits that under the guise of playing the game of rummy, the members of the petitioner are resorting to three cards play, which is purely the one of choice.

As part of its activities, the petitioner is maintaining a card room. It is stated that the members of the petitioner club are playing only the 13 card rummy, sometimes with stakes and sometimes in syndicate. In view of the Judgment of

the Supreme Court referred to above, the respondents cannot interfere with the playing of rummy by the members of the petitioner. However, if it is noticed that the members of the petitioner are playing any game of choice, including the one with three cards, steps can certainly be taken in accordance with law to prohibit and penalize such activities.

Hence, the writ petition is disposed of, directing that the respondents shall not interfere with the lawful activities of the members of the petitioner, namely, playing of rummy with 13 cards with stakes or in syndicate and in case, they are found to be playing any other game of skill, it shall be open to the respondents to take such action as is open to them in law. It is also made clear that under the guise of causing inspection, the officials or advocate-commissioners shall not be posted and the activities of the club cannot be crippled. There shall be no order as to costs.

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02.08.2005

Jsu